

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
NORTHERN DIVISION

NO. 2:14-CR-13-FL-1

D'QUEL NAJAE WASHINGTON, )  
                                )  
Petitioner                 )  
                                )  
v.                            )                                   ORDER  
                                )  
                                )  
UNITED STATES OF AMERICA, )  
                                )  
                                )  
Respondent.                )

This matter is before the court on petitioner's motion (DE 96) for reduction in sentence, in accordance with Johnson v. United States, 135 S.Ct. 2551 (2015), which after notice pursuant to Castro v. United States, 540 U.S. 375 (2003), the court recharacterizes as a motion to vacate, set aside, or correct, sentence under 28 U.S.C. § 2255. The court DIRECTS the clerk to docket defendant's motion (DE 96) as a § 2255 motion. Although petitioner asserts a claim under Johnson, petitioner's § 2255 motion does not substantially follow the form appended to the Rules Governing § 2255 Proceedings and is therefore not in compliance with Rule 2(c) of the Rules Governing § 2255 Proceedings and Local Civil Rule 81.2 of this court.

Accordingly, the court DIRECTS the clerk to send a copy of the appropriate form to petitioner. **Petitioner is DIRECTED to complete the form in its entirety, sign it under penalty of perjury, and submit it to the court by December 21, 2016, at the following address:**

Clerk of Court  
United States District Court, E.D.N.C.  
413 Middle St.  
New Bern, NC 28560  
ATTN: Prisoner Case Manager

**Failure to so return the form may result in the dismissal of this § 2255 action or the striking of the motion.** In the event the § 2255 motion is filed in correct form, the court will undertake initial review of the § 2255 motion, pursuant to Rule 4 of the Federal Rules Governing § 2255 Proceedings.

SO ORDERED, this the 29th day of November, 2016.



LOUISE W. FLANAGAN  
United States District Judge